



State Council on Developmental Disabilities

COUNCIL MEETING NOTICE/AGENDA

Posted at www.scdd.ca.gov

DATE: March 24, 2009

TIMES: 10:00 AM – 5:00 PM*

*(*ending time for this meeting is approximate only and is intended solely for the purpose of travel planning only)*

PLACE: Doubletree Sacramento
2001 Point West Way
Sacramento, CA 95815
916-929- 8855

Pursuant to Government Code Sections 11123.1 and 11125(f), individuals with disabilities who require accessible alternative formats of the agenda and related meeting materials and/or auxiliary aids/services to participate in the meeting, should contact Julian Garcia at: 916-322-9575 or email: council@scdd.ca.gov. Requests must be received by 5:00 PM, Monday, March 17, 2009.

AGENDA FOR 3/24/09*

*[*Note: Breaks will be announced as needed. Items may be taken out of order to ensure appropriate flow of meeting]*

10:00 A.M.

1. ESTABLISHMENT OF QUORUM: (M. Good)

2. CALL TO ORDER: (M. Good)

3. WELCOME/INTRODUCTIONS: (M. Good)

4. PUBLIC COMMENTS:

[This section is for members of the public only; and is to provide the public an opportunity to comment and/or present information to the Council on any matter not on the agenda. Each member of the public will be afforded up to three minutes to speak. Written requests, if any, will be considered first. Additionally, the Council will provide a public comment period not to exceed seven minutes total for all public comments prior to Council action on each item.]

5. APPROVAL OF MINUTES: (M. Good)

The Council will review the minutes from the January meeting.

6. CHAIR'S REPORT: (M. Good)

7. EXECUTIVE DIRECTOR'S REPORT: (A. Kerzin)

8. CAPITOL PEOPLE FIRST PROPOSED SETTLEMENT AGREEMENT
(C. Blakemore)

9. COUNCIL ACTIONS AND DISCUSSION ITEMS:

The Council may take action based on information presented.

A. CLOSED SESSION:

1. Closed session to be held in compliance with Government Code Section 11126 (a)(1) to consider the appointments of the Area Board 2 and Area Board 6 Executive Directors. **BLUE**

2. Pursuant to Government Code Section 11126 (e) (1), the Council will meet in closed session to discuss pending litigation.

B. ADMINISTRATIVE COMMITTEE REPORT: (S. Dove/ A. Kerzin)

C. STRATEGIC PLANNING SUBCOMMITTEE REPORT: **GREEN**
(M. Rosenberg/ D. Ramirez/ O. Raynor)

1. State Plan Report: **YELLOW**

D. PDC COMMITTEE REPORT: (L. Cooley/ M. Januse) **PURPLE**

E. LEGISLATIVE COMMITTEE REPORT: (R. Knott/ A. Kerzin/ S. Hargrove) **PINK**

F. DDS BUDGET STAKEHOLDERS PROCESS: (T. Delgadillo)

G. EXECUTIVE COMMITTEE REPORT: (T. Martens)

H. SPONSORSHIP REQUESTS: (If needed) (M. Januse)

The Council will be asked to review and either approve or deny any Sponsorship Request(s). The Council allocates up to \$25,000 for Sponsorships every year.

I. WAIVER REQUESTS: (If needed) (K. Barnes) **GOLD**

The Council will be asked to review and either approve or deny any Waiver Request(s).

J. AREA BOARD COUNCIL REPRESENTATIVE REPORTS: (K. Barnes) GRAY

The Council regularly receives updated reports from all 13 Area Boards that highlight local priorities and activities.

K. FEDERAL DD PARTNERS: (M. Good/A. Kerzin)

The Federal DD Partners consisting of the State Council, Disabilities Rights California and the University Centers of Excellence for People with Developmental Disabilities met on January 26, 2009.

L. 2010 PROPOSED COUNCIL MEETING DATES (M. Good)

10. COUNCIL GRANTS RECIPIENTS PRESENTATION:

California People First- Joe Meadours
Partners in Policymaking- Jim Lockwood

11. RESOLUTIONS: (M. Good)

12. ADJOURNMENT: (M. Good)

NEXT COUNCIL MEETING:

MAY18-19, 2009

HILTON ARDEN WEST

2200 HARVARD ST.

SACRAMENTO, CA 95815

916-922-4700

Minutes
January 2009 Council Meeting
Doubletree Sacramento

January 13, 2009

1. Establishment of Quorum
Members Present

Staff Present

Marcia Good	Jim Alves	Alan Kerzin
Ted Martens	Emily Matlack	Laurie Hoirup
Yvonne Kluttz	Ray Ceragioli	Michael Januse
Laura Ramos	Brad Putz	Melissa Corral
Olivia Raynor	Lisa Cooley	September Hargrove
Leroy Shipp	Bill Moore	Julian Garcia
Barbara Wheeler	Lori Kay	Diana Ramirez
David Mulvaney	Patty O'Brien	Michael Danti
Randi Knott	Shirley Dove	Kathy Barnes
Lynn Daucher	Margaret Anderson	
Jorge Aguilar	Dan Boomer	
Steve Silvius		

Absent

Julie Wilsted Willie West David Maxwell-Jolly
Catherine Blakemore

2. CALL TO ORDER

Council Chair Marcia Good established quorum and called the meeting to order and briefly described the agenda.

3. WELCOME/ INTRODUCTION

Council Chair Good started introductions with Council members, staff and public.

4. PUBLIC COMMENTS

Ron Synder from Yolo County serving on Area Board 3 had two concerns. One was the process of appointing the Director of Area Boards with vacant positions. Executive Director Kerzin had explained it to him just prior to the meeting, which Ron was thankful. His other concern was as a graduate of the Partners and Policymaking Program, there were shortcomings in the area of follow up.

Maxine Richey, Director of SAR in Sacramento and is a parent of a daughter with severe Mental Retardation expressed her support for the Council and asked if we would not forget the needs of those with severe Mental Retardation.

5. APPROVAL OF NOVEMBER'S MINUTES

The minutes of November's meeting will be looked at in March.

6. CHAIR'S REPORT

Council Chair Good reported that economic times are tough and that the Council is going to have to prioritize itself so that the Council can have the best value for the money. Advocacy and grants are some of the issues the Council will be discussing this year. She also announced 2009 committee assignments and had Chief Deputy Hoirup explain the appointment updates to the Council.

7. EXECUTIVE DIRECTOR'S REPORT

Executive Director Kerzin updated the Council on the current and next fiscal year budget issues. In his report, he explained in detail where the Council stands as to its budget, issues with the budget and how the money is divided. Some of the issues the Council is facing are a discrepancy with the Governor's budget, salary savings, departmental vacancies, furloughs and cuts to programs.

8. COUNCIL ACTIONS AND DISCUSSION ITEMS

A. STRATEGIC PLANNING REVISIONS

Council Member Raynor reported that the committee revisited the current plan and has recommendations for updating it. The recommendations were to use the Strategic Plan as a road map for the Council on how to prioritize efforts of committees and Area Boards and to combine the Strategic Plan and the State Plan. The Strategic Plan is inclusive of the State Plan as it is today.

B. SPONSORSHIP REQUESTS

There were no sponsorships requested at this meeting.

C. WAVIER REQUEST

There were no waivers requested at this meeting.

D. EXECUTIVE COMMITTEE REPORT

Council Member Martens reported that the committee worked on the Council meeting agenda, budget issues and committee appointments. The committee also directed staff to do intensive work on budget issues to prepare for a workshop.

E. LEGISLATIVE COMMITTEE REPORT

Council Member Knott reported that the committee discussed public policy and other avenues rather than just legislation to solve issues. The committee's legislative platforms are abuse prevention, emergency preparedness, special education, employment, housing and transportation.

F. ADMINISTRATIVE COMMITTEE REPORT

Council Member Dove reported that the committee discussed the Area Board Executive Director vacancies, moved forward

on a recommendation to the Executive Committee about forming a small workgroup and freezing employment and directed staff to look at current Grants with a review.

G. AREA BOARD COUNCIL REPRESENTATIVE REPORTS

Deputy Director Barnes submitted her reports to the Council and highlighted some of the accomplishments and results from the Area Boards.

H. FEDERAL DD PARTNERS

ED Kerzin reported that the DD Partners were due to meet on January 26th and would have a report in March.

I. CYCLE 32 GRANTS UPDATES

Deputy Director Januse reported that the Cycle 32 requests for proposals have gone out and that he intends to continue the concept paper process for this year. The Council also decided to open up the grant process to all nine of the State Plan objective areas.

9. ADJOURNMENT

Council Member Good adjourned the meeting.

January 14, 2009

1. Establishment of Quorum

Members Present

Marcia Good Jim Alves
 Ted Martens Emily Matlack
 Yvonne Kluttz Ray Ceragioli
 Laura Ramos Brad Putz
 Olivia Raynor Lisa Cooley
 Leroy Shipp Bill Moore
 Catherine Blakemore
 David Mulvaney Patty O'Brien
 Randi Knott Shirley Dove
 Margaret Anderson
 Lynn Daucher Lori Kay
 Jorge Aguilar Dan Boomer
 Barbara Wheeler Mark Hutchinson
 Tony Sauer
 Steve Silvius
 John Eastman
 Laretta Wild on behalf of David Maxwell-Jolly

Staff Present

Alan Kerzin
 Laurie Hoirup
 Michael Januse
 Melissa Corral
 September Hargrove
 Julian Garcia
 Diana Ramirez
 Kathy Barnes

Absent

Julie Wilsted Willie West

2. CALL TO ORDER

Council Chair Marcia Good established quorum and called the meeting to order and briefly described the agenda.

3. WELCOME/INTRODUCTION

Council Chair Good started introductions with Council members, staff and public.

4. PUBLIC COMMENTS

Ron Snyder from Yolo County serving on Area Board 3 asked that when a research project is going on at another Area Board, if they could share the information with other Area Boards. Ron also brought handouts for the Council.

5. AGENCY REPORTS

Council Member Alves from Health and Human Service Agency (CHHS) reported that the State is facing many difficult fiscal challenges. First, he identified the severity of the problem. Next, he gave a very detailed overview of what the Governor's solutions are as to the Governor's budget. Lastly, he expressed the urgency of the situation if there is no action taken by the Legislature.

Council Member Hutchinson of Department of Developmental Services (DDS) reported on the Governor's Proposed Budget concerning community service programs, 3% reduction on Purchase of Services and supplement payment to individuals supported in independent living. The Governor's Budget establishes a savings target of \$334 million general fund.

Tony Sauer of the Department of Rehabilitation (DOR) reported that DOR is doing better than most departments because the primary funding source is a 4:1 Federal match. Only 14.8% of their budget is General Fund with a total budget of 405 million. The Department's goals are to keep the doors open so the consumers can continue to receive services and to maintain providers to keep services going.

Council Member Boomer of Department of Education (DOE) reported that the department has a 58.6 billion budget of which 5.12 billion is Special Education. Education budget comes from Federal, state and Local dollars.

Council Member Daucher of Department of Aging (DOA) reported that while they did not take a further reduction in the Governor's Budget. DOA will share in the reductions of the Executive order and the furloughs.

Council Member Designee Lopez of Department of Social Services (DSS) discussed the proposals the Administration has put forward in the area of home support services, CAPI and SSI/SSP. There was nothing new in the proposal other than updates for caseload information.

Deputy Director John Eastman of Department of Health Care Services (HCS) reported that HCS's budget is 15 billion and is 16% of the budget. There are three areas that the department is looking at : change rates, change benefits and change eligibility.

6. COUNCIL ACTIONS AND DISCUSSION ITEMS

A. DISABILITY ADVOCACY PANEL

The Council brought in a panel of disability advocates to discuss the impact of the budget on people with disabilities and their families and what strategies to use during this budget crisis.

Debbie Sarmiento – Family Resource Centers Network of California

Bob Baldo – ARCA

Henry Contreras – California Foundation for Independent Living Centers

Marty Omoto- CDCAN

Catherine Blakemore – DRC

Joe Meadours- People First of California

7. COUNCIL ROLE IN STATE AND FEDERAL BUDGET ISSUES

The council had a round table discussion as to the role of the Council with issues regarding the difficult State budget, the proposals to the budget process on both the State and Federal level and our advocacy role the Council plays and how it relates to pending cuts.

It was Moved/Seconded (T. Martens/D. Boomer) to draft a letter to the new Administration urging the expansion of the Medicaid Waivers and to change the policy to put people with Developmental Disabilities to the front of the line in States where there are waiting lists. Motion carries.

8. *ADJOURNMENT*

Chair Good adjourned the meeting.



Agenda Item: 9.A.1
Date: March 24, 2009
Meeting: March Council

Detail Sheet for:
Appointment of Area Board 2 and 6
Executive Director

What is this agenda item about?

The Lanterman Act Section 4553(C)(1) states: *Each area board shall have an executive director, nominated by the affirmative votes of a majority of the members of the area board, appointed by the executive director of the State Council, and approved by the State Council.*

The Area Board 2 members have nominated an executive director and submitted their candidate to the executive director of the state council. Area Board 6 Board is scheduled to conduct final interviews to nominate an executive director on March 17, 2009.

What has the Council done about this so far?

Council staff provided technical assistance to members of Area Boards 2 and 6 to assure that they followed personnel rules. Both nominees will be presented to Alan Kerzin, Council Executive Director, for appointment in accordance with the Lanterman Act.

What needs to be decided at this meeting?

Because the Council is considering a personnel matter, the Council needs to review the matter in a closed session. After the Council makes a decision, the Council will go back to an open session and announce their decision. The closed session is held in compliance with the Bagley-Keene Open Meeting law (§.11126(a)(1)).

What is the committee or staff recommendation?

Consider the Executive Director's appointment in accordance with the Lanterman Act.

Are there attachments?

The resume of the Executive Director's appointee will be provided at the Council meeting.



Agenda Item: 9.C.
Date: March 24, 2009
Meeting: March Council

Detail Sheet for: Strategic Planning Sub-Committee

What is this agenda item about?

The State Council will hear about the update and revisions of the SCDD Strategic Plan.

What has the Council done about this so far?

The Strategic Planning Sub-Committee held an update and revisions meeting on November 18, 2008, where input and recommendations were made from Area Board Executive Directors, Area Board members and State Agencies in efforts to update the SCDD Strategic Plan.

The Strategic Planning Sub-Committee met on February 11, 2009 and finalized and approved the revisions for the next two years of the SCDD Strategic Plan.

What needs to be decided at this meeting?

The Council needs to decide whether to approve the SCDD Strategic Plan revisions that the Strategic Planning Sub-Committee and SCDD staff has recommended.

What is the committee or staff recommendation?

The Strategic Planning Sub-Committee and SCDD staff recommends the approval of the SCDD Strategic Plan revisions.

Are there attachments?

Handouts will be provided at the Council Meeting.



Agenda Item: 9.D.
Date: March 24, 2009
Meeting: March Council

Detail Sheet for:
Program Development Committee (PDC)

What is this agenda item about?

The Program Development Committee met on Tuesday, March 3, 2009 to review concept papers.

What has the Council done about this so far?

The committee reviewed and scored 115 concept papers that were received for Community Program Development Grant Cycle 32 and sixteen (16) applicants have been asked to submit full proposals. The deadline for the full proposals is Friday, April 10, 2009.

The PDC will next meet on May 5-6, 2009 to review and score the full proposals.

What needs to be decided at this meeting?

Nothing, this is informational only.

What is the committee or staff recommendation?

None.

Are there attachments?

No.



Detail Sheet for: **Legislative Committee Report**

What is this agenda item about?

The Council will hear updates from the Legislative Committee regarding legislation and actions taken by the Legislative Committee at the March 10, 2009 meeting.

What has the Council done about this so far?

The Council in past legislative session has taken positions of support, oppose and watch on legislation recommended by the Legislative Committee.

What needs to be decided at this meeting?

At this meeting the Council will hear a legislative update and vote to reconsider positions recommended by the Legislative Committee and staff on the following bills:

1. AB 140 (Beall) Dispute Resolutions

This bill would establish procedures for the resolution of disputes between a regional center and a generic agency, as defined, over provision of, or payment for, services that are contained in an individualized family service plan or individual program plan for any child under 6 years of age.

Committee recommends a position of SUPPORT.

2. AB 214 (Chesbro) – Durable Medical Equipment

This bill would require a health care service plan and a health insurer to provide coverage for durable medical equipment, as defined, as part of their plan contracts or health insurance policies.

Committee recommends a position of SUPPORT.



3. AB 302 (Beall) – Regional Center Purchase of Service Data

This bill would require that, using existing data, DDS annually post specified POS information on its web site, based on age, ethnicity and primary language. The data would show the numbers and percentage of individuals receiving no services using POS funds and, for those receiving services, the average POS expenditures, overall, by residence type and by service category.

Committee recommends a position of SUPPORT.

4. AB 1124 (Yamada) – Stay Put/Due Process Hearings

This bill would require local educational agencies, during the pendency of a hearing involving an application of a pupil for initial services under a preschool program serving individuals with exceptional needs between 3 to 5 years of age, inclusive, who is no longer eligible for early intervention services under the California Early Intervention Services Act because he or she has reached 3 years of age, to continue to provide the same services that were provided under the California Early Intervention Services Act. *Council Priority – Special Education*

Staff recommends a position of SUPPORT.

5. SB 110 (Liu) – Disabled Crime Victims Act

This bill would state that it is the intent of the Legislature to strongly encourage law enforcement agencies and district attorneys to develop and adopt certain training, investigation, and prosecution practices relevant to victims with disabilities in addition to other provisions. *Council Priority – Abuse Prevention.*

Committee recommends a position of SUPPORT.

What is the committee or staff recommendation?

Staff recommends that the Council reconsider the above legislation and adopt the recommended actions.



Agenda Item: 9.E.
Date: March 24, 2009
Meeting: Council Meeting

Are there attachments?

Yes. Attached is additional bill information.

AB 302 (Beall) – FACT SHEET

Lanterman Developmental Disabilities Services Act: Regional Center Purchase of Service Data

BACKGROUND

Under the Lanterman Developmental Disabilities Services Act (Lanterman Act), people with developmental disabilities receive services based on their individual needs and choices through an individualized assessment and planning process, resulting in an individual program plan (IPP) for each eligible individual. Responsibility for coordinating the IPP process and securing services and supports lies with 21 nonprofit regional centers (RCs) that are located throughout the state and provide services through contracts with the state Department of Developmental Services (DDS). RC budgets include components for administrative costs (operations) and for the purchase of services (POS).

DDS, through appropriate and regular monitoring activities, is responsible for ensuring that regional centers meet their statutory, regulatory, and contractual obligations, and provide services and supports in compliance with the principles of the Lanterman Act.

Several studies conducted since 1992 have examined regional centers' expenditures of POS dollars as a function of a number of variables, including client ethnicity. While the results have been varied and open to interpretation, the data have consistently shown that the per capita expenditure of POS dollars is significantly higher for white clients than for other racial and ethnic groups.

The most recent independent studies, conducted by Charlene Harrington and Taewoon Kang of U.C. San Francisco, found that, even when controlling for client needs, all racial and ethnic groups (Asian/Pacific Islanders, African Americans, Hispanics) were 23-31% less likely to receive any services than were whites. For those who received services, even when client need is taken into account, annual per-person expenditures for non-white racial and ethnic groups were significantly lower than for whites: Hispanics received \$3,190 less, Asian/Pacific

Islanders received \$2,560 less, and African Americans received \$1,320 less.

As Harrington and Kang note, any number or combination of factors might explain these disparities, "including client and family attitudinal and belief systems, language skills, immigration status, provider race/ethnicity, and lack of knowledge of the system. RC staff assessment and case management procedures or cultural competence as well as RC and/or provider discrimination could be other factors."¹

THIS BILL

AB 302 requires that, using existing data, DDS annually post specified POS information on its web site, based on age, ethnicity and primary language. This might be done by including the required information in the Fact Book that DDS already posts on its web site and updates annually. The data would show the numbers and percentage of individuals receiving no services using POS funds and, for those receiving services, the average POS expenditures, overall, by residence type and by service category.

AB 302 makes no assumptions about the reasons for identified POS disparities based on race/ethnicity and other factors. The extent of the disparities and the underlying reasons may, in fact, vary by RC. But, for stakeholders to have informed discussions of these issues at the RC and state level, it is necessary to start with current data.

The requirement that the data be made public and regularly updated will enable informed discussions to be held, appropriate strategies to be developed and implemented, and changes to be assessed over time.

Staff Contact: Eric Gelber (916) 319-2089

¹ Harrington, C. & Kang, T., *Disparities in service utilization and expenditures for individuals with developmental disabilities*, Disability & Health Journal, 1:184, 193 (2008).

ASSEMBLY BILL

No. 1124

Introduced by Assembly Member Yamada

February 27, 2009

An act to amend Section 56505 of the Education Code, relating to special education.

LEGISLATIVE COUNSEL'S DIGEST

AB 1124, as introduced, Yamada. Special education: due process hearings.

(1) Existing law establishes the right of individuals with exceptional needs to a free appropriate public education and ensures the right to special education and related services, including, for individuals under 3 years of age, specified services under the California Early Intervention Services Act. Existing state and federal law prescribe specified rights and procedural requirements relating to administrative hearings involving an application for initial services from an individual with exceptional needs who is no longer eligible for early intervention services under the California Early Intervention Services Act because he or she has reached 3 years of age.

This bill would require local educational agencies, during the pendency of a hearing involving an application of a pupil for initial services under a preschool program serving individuals with exceptional needs between 3 to 5 years of age, inclusive, who is no longer eligible for early intervention services under the California Early Intervention Services Act because he or she has reached 3 years of age, to continue to provide the same services that were provided under the California Early Intervention Services Act.

Because this bill would require local educational agencies to provide a pupil with certain services beyond the age at which he or she was qualified to receive those services, it would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 56505 of the Education Code is amended
2 to read:
3 56505. (a) The state hearing shall be conducted in accordance
4 with regulations adopted by the board.
5 (b) The hearing shall be held at a time and place reasonably
6 convenient to the parent or guardian and the pupil.
7 (c) (1) The hearing shall be conducted by a person who, at a
8 minimum, shall possess knowledge of, and the ability to
9 understand, the provisions of this part and related state statutes
10 and implementing regulations, the federal Individuals with
11 Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.), federal
12 regulations pertaining to the act, and legal interpretations of this
13 part and the federal law by federal and state courts, and who has
14 satisfactorily completed training pursuant to this subdivision. The
15 Superintendent shall establish standards for the training of hearing
16 officers, the degree of specialization of the hearing officers, and
17 the quality control mechanisms to be used to ensure that the
18 hearings are fair and the decisions are accurate.
19 (2) The hearing officer shall possess the knowledge and ability
20 to conduct hearings in accordance with appropriate, standard legal
21 practice.
22 (3) The hearing officer shall possess the knowledge and ability
23 to render and write decisions in accordance with appropriate,
24 standard legal practice.

(4) A due process hearing shall not be conducted by an individual listed in Section 1415(f)(3)(A)(i) of Title 20 of the United States Code. Pursuant to Section 300.511(c)(2) of Title 34 of the Code of Federal Regulations, a person who is qualified to conduct a hearing is not an employee of the agency solely because he or she is paid by the agency to serve as a hearing officer. The hearing officer shall encourage the parties to a hearing to consider the option of mediation as an alternative to a hearing.

(d) Pursuant to Section 300.518(a) of Title 34 of the Code of Federal Regulations, during the pendency of the hearing proceedings, including the actual state-level hearing, or judicial proceeding regarding a due process hearing, the pupil shall remain in his or her present placement, except as provided in Section 300.533 of Title 34 of the Code of Federal Regulations, unless the public agency and the parent or guardian agree otherwise. A pupil *who is* applying for initial admission to a public school, with the consent of his or her parent or guardian, shall be placed in the public school program until all proceedings have been completed. As provided in Section 300.518(d) of Title 34 of the Code of Federal Regulations, if the decision of a hearing officer in a due process hearing or a state review official in an administrative appeal agrees with the parent or guardian of the pupil that a change of placement is appropriate, that placement shall be treated as an agreement between the state or local educational agency and the parent or guardian. ~~In accordance with Section 300.518(e) of Title 34 of the Code of Federal Regulations, if~~ *If a due process hearing request involves an application of a child for initial services from a child who is transitioning from an early education program under Chapter 4.4 (commencing with Section 56425) to a special education program serving under a preschool program servicing individuals with exceptional needs between the ages of three to and five years of age, inclusive, under Chapter 4.45 (commencing with Section 56440), and the child is no longer eligible for early education services because the child has turned intervention services under the California Early Intervention Services Act (Title 14 (commencing with Section 95000) of the Government Code) and its implementing regulations, because he or she has reached three years of age, the local educational agency is not required shall continue to provide early education the same services that the child had been receiving had previously been provided under*

1 *the California Early Intervention Services Act, during the pendency*
2 *of the hearing proceedings.* If the child is found eligible for special
3 education and related services for children ~~age~~ three years of age
4 and older, and the parent or guardian consents to the initial
5 provision of special education and related services under Section
6 300.300(b) of Title 34 of the Code of Federal Regulations, the
7 local educational agency shall provide those special education and
8 related services that are not in dispute between the parent or
9 guardian and the local educational agency.

10 (e) A party to the hearing held pursuant to this section shall be
11 afforded the following rights consistent with state and federal
12 statutes and regulations:

13 (1) The right to be accompanied and advised by counsel and by
14 individuals with special knowledge or training relating to the
15 problems of individuals with exceptional needs.

16 (2) The right to present evidence, written arguments, and oral
17 arguments.

18 (3) The right to confront, cross-examine, and compel the
19 attendance of, witnesses.

20 (4) The right to a written, or, at the option of the parents or
21 guardians, electronic verbatim record of the hearing.

22 (5) The right to written, or, at the option of the parent or
23 guardian, electronic findings of fact and decisions. The record of
24 the hearing and the findings of fact and decisions shall be provided
25 at no cost to parents or guardians in accordance with Section
26 300.512(c)(3) of Title 34 of the Code of Federal Regulations. The
27 findings and decisions shall be made available to the public after
28 any personally identifiable information has been deleted consistent
29 with the confidentiality requirements of Section 1417(c) of Title
30 20 of the United States Code and shall also be transmitted to the
31 Advisory Commission on Special Education pursuant to Section
32 1415(h)(4) of Title 20 of the United States Code.

33 (6) The right to be informed by the other parties to the hearing,
34 at least 10 days prior to the hearing, as to what those parties believe
35 are the issues to be decided at the hearing and their proposed
36 resolution of those issues. Upon the request of a parent who is not
37 represented by an attorney, the agency responsible for conducting
38 hearings shall provide a mediator to assist the parent in identifying
39 the issues and the proposed resolution of the issues.

1 (7) The right to receive from other parties to the hearing, at least
2 five business days prior to the hearing, a copy of all documents
3 and a list of all witnesses and their general area of testimony that
4 the parties intend to present at the hearing. Included in the material
5 to be disclosed to all parties at least five business days prior to a
6 hearing shall be all assessments completed by that date and
7 recommendations based on the assessments that the parties intend
8 to use at the hearing.

9 (8) The right, pursuant to Section 300.512(a)(3) of Title 34 of
10 the Code of Federal Regulations, to prohibit the introduction of
11 any evidence at the hearing that has not been disclosed to that party
12 at least five business days before the hearing.

13 (f) (1) In accordance with Section 1415(f)(3)(E) of Title 20 of
14 the United States Code, the decision of a due process hearing
15 officer shall be made on substantive grounds based on a
16 determination of whether the child received a free appropriate
17 public education.

18 (2) In matters alleging a procedural violation, a due process
19 hearing officer may find that a child did not receive a free
20 appropriate public education only if the procedural violation did
21 any of the following:

22 (A) Impeded the right of the child to a free appropriate public
23 education.

24 (B) Significantly impeded the opportunity of the parents *of the*
25 *child* to participate in the decisionmaking process regarding the
26 provision of a free appropriate public education to the child ~~of the~~
27 ~~parents~~.

28 (C) Caused a deprivation of educational benefits.

29 (3) The hearing conducted pursuant to this section shall be
30 completed and a written, reasoned decision, including the reasons
31 for a nonpublic, nonsectarian school placement, the provision of
32 nonpublic, nonsectarian agency services, or the reimbursement for
33 the placement or services, taking into account the requirements of
34 subdivision (a) of Section 56365, shall be mailed to all parties to
35 the hearing not later than 45 days after the expiration of the 30-day
36 period pursuant to subdivision (c) of Section 56501.5. Either party
37 to the hearing may request the hearing officer to grant an extension.
38 The extension shall be granted upon a showing of good cause. An
39 extension shall extend the time for rendering a final administrative
40 decision for a period only equal to the length of the extension.

1 (4) This subdivision does not preclude a due process hearing
2 officer from ordering a local educational agency to comply with
3 procedural requirements under this chapter.

4 (g) Subdivision (f) does not alter the burden of proof required
5 in a due process hearing, or prevent a hearing officer from ordering
6 a compensatory remedy for an individual with exceptional needs.

7 (h) The hearing conducted pursuant to this section shall be the
8 final administrative determination and binding on all parties.

9 (i) In decisions relating to the placement of individuals with
10 exceptional needs, the person conducting the state hearing shall
11 consider cost, in addition to all other factors that are considered.

12 (j) In a hearing conducted pursuant to this section, the hearing
13 officer shall not base a decision solely on nonsubstantive
14 procedural errors, unless the hearing officer finds that the
15 nonsubstantive procedural errors resulted in the loss of an
16 educational opportunity to the pupil or interfered with the
17 opportunity of the parent or guardian of the pupil to participate in
18 the formulation process of the individualized education program.

19 (k) This chapter does not preclude a party aggrieved by the
20 findings and decisions in a hearing under this section from
21 exercising the right to appeal the decision to a state court of
22 competent jurisdiction. An aggrieved party also may exercise the
23 right to bring a civil action in a district court of the United States
24 without regard to the amount in controversy, pursuant to Section
25 300.516 of Title 34 of the Code of Federal Regulations. An appeal
26 shall be made within 90 days of receipt of the hearing decision.
27 During the pendency of an administrative or judicial proceeding
28 conducted pursuant to Chapter 5 (commencing with Section
29 56500), the child involved in the hearing shall remain in his or her
30 present educational placement, unless the public agency and the
31 parent or guardian of the child agree otherwise. An action brought
32 under this subdivision shall adhere to Section 300.516(c) of Title
33 34 of the Code of Federal Regulations.

34 (l) A request for a due process hearing arising under subdivision
35 (a) of Section 56501 shall be filed within two years from the date
36 the party initiating the request knew or had reason to know of the
37 facts underlying the basis for the request. In accordance with
38 Section 1415(f)(3)(D) of Title 20 of the United States Code, the
39 time period specified in this subdivision does not apply to a parent

1 if the parent was prevented from requesting the due process hearing
2 due to either of the following:

3 (1) Specific misrepresentations by the local educational agency
4 that it had solved the problem forming the basis of the due process
5 hearing request.

6 (2) The withholding of information by the local educational
7 agency from the parent that was required under this part to be
8 provided to the parent.

9 (m) Pursuant to Section 300.511(c) of Title 34 of the Code of
10 Federal Regulations, each public agency shall keep a list of the
11 persons who serve as due process hearing officers, in accordance
12 with Section 56504.5, and the list shall include a statement of the
13 qualifications of each of those persons. The list of hearing officers
14 shall be provided to the public agencies by the organization or
15 entity under contract with the department to conduct due process
16 hearings.

17 (n) A party who filed for a due process hearing prior to the
18 effective date of this section is not bound by the two-year statute
19 of limitations time period in subdivision (l) if the party filed a
20 request within the three-year statute of limitations provision
21 pursuant to subdivision (l) as it read prior to October 9, 2006.

22 (o) This section shall become operative October 9, 2006.

23 SEC. 2. If the Commission on State Mandates determines that
24 this act contains costs mandated by the state, reimbursement to
25 local agencies and school districts for those costs shall be made
26 pursuant to Part 7 (commencing with Section 17500) of Division
27 4 of Title 2 of the Government Code.



**CALIFORNIA STATE COUNCIL ON
DEVELOPMENTAL DISABILITIES**

Bill Number: SB 110

Author: Senator Carol Liu

Subject: Crime Victims with Disabilities Act of 2009

Version: Introduced January 28, 2009

Sponsor: The Arc of California

Position Recommendation :

- ☒ Support
- ☐ Support if amended
- ☐ Oppose
- ☐ Oppose unless amended
- ☐ Watch

Priority Recommendation:

- ☒ High (Letter, Hearing Testimony, & Advocacy meeting with bill authors, legislative and department staff)
- ☐ Medium (Letter & Hearing Testimony)
- ☐ Low (Letter only)

SCDD Policy Priority:

Abuse Prevention

SUMMARY

The Crime Victims with Disabilities Act of 2009 takes a variety of steps to prevent and investigate these crimes and to arrest and prosecute the perpetrators. It includes provisions assisting elder and homeless victims, regardless of whether they have disabilities.

Specifically, this bill would:

- State that it is the intent of the Legislature to strongly encourage law enforcement agencies and district attorneys to develop and adopt certain training, investigation, and prosecution practices relevant to victims with disabilities.
- Require the Department of Justice to send a bulletin to law enforcement agencies and district attorneys describing that intent, as well as the laws relating to the protection of persons with disabilities, as specified.

- Include within the authority of an Elder Death Review Team the review of deaths involving dependent adults.
- Require the State Department of Developmental Services to either immediately report a case of suspected abuse or neglect of a person held in custody as developmentally disabled to local law enforcement, or ascertain the facts and then report confirmed cases of abuse to the local law enforcement agency
- Require the California Emergency Management Agency to convene a working group on crimes against elders, dependent adults, and people with disabilities
- State the intent of the Legislature that persons with disabilities be included as members of the Domestic Violence Advisory Council, and would extend the operation of the council to January 1, 2015.
- State that no state or local agency is required to update their training regarding that additional reporting requirement but that it is the intent of the Legislature that the training be updated, if possible, without substantial cost

EXISTING LAW

Existing law regulates the investigation and prosecution of crimes against dependent adults, which is defined to include persons who are between 18 and 64 years of age, inclusive, and who have a physical or mental limitation which restricts his or her ability, or substantially restricts his or her ability, to carry out normal activities or to protect his or her rights, including, but not limited to, persons who have physical or developmental disabilities or whose physical or mental abilities have diminished, or significantly diminished, because of age. Under existing law, the phrase also includes any person between 18 and 64 years of age, inclusive, who is admitted as an inpatient to certain 24-hour health facilities.

RECOMMENDATION AND SUPPORTING ARGUMENTS

Recommendation is to support SB 110.

Crime against people with disabilities has been called an “invisible epidemic,” comparable to domestic violence before society awakened to the horror and widespread extent of that terrible problem. Children and elders with disabilities and people with disabilities in care, incarceration, and treatment facilities are among those most vulnerable and most often victimized. Women and men with disabilities also are at high risk of sexual assault and domestic violence. Perpetrators are often caregivers. It is unlikely that society would tolerate this level of violent crime against most other victims without demanding much more effective action. Elders and homeless persons, even those with no disabilities, also are subject to many similar crimes.

SUGGESTED AMENDMENTS

- While staff is not recommending any amendments, it should be noted that the author's office has stated, "The bill is drafted to avoid creating any new state or state-mandated local costs or any new programs. If any costs are found in the bill, the author and sponsor are committed to removing them."

ANALYSIS

The bill includes these major provisions and how they affect people with developmental disabilities in California:

- Closes a loophole allowing perpetrators of abuse of people with disabilities and elders to move from job to job as caregivers without background checks.
- Makes it explicit that abuse of people with disabilities and elders is a crime; clarifies that law enforcement agencies have jurisdiction, provides for better training of police, prosecutors, rape-crisis counselors, and health-care providers; and, requires the Department of Justice to notify law-enforcement agencies and district attorneys of relevant laws and their legal responsibilities.
- Provides for developing model memoranda of understanding that law enforcement agencies, Adult Protective Services, local long-term care ombudsman programs, and care facilities are strongly encouraged to adopt to ensure cooperation.
- Expands the authority of counties' Elder Death Review Teams to include investigating suspicious death of adults with disabilities and adult residents of facilities.
- Makes Adult Protective Services responsible for the abuse of long-term care facility residents that occurs outside of the facilities, not ombudsman programs, which are unequipped to handle them.
- Expands the protocol for examination and treatment of sexual assault victims to include sexual assault victims with disabilities.
- Requires victim and witness assistance programs to cover victims and witnesses with disabilities.

State how existing law, policy and practice would change if this bill were enacted and if this bill would be an improvement over existing activities or a detriment.

- The Crime Victims with Disabilities Act of 2009 takes a variety of steps to prevent and investigate these crimes and to arrest and prosecute the perpetrators. It includes provisions assisting elder and homeless victims, regardless of whether they have disabilities

Discuss whether the problem, addressed by the bill actually exists, and, if so, would the bill resolve the problem?

- The California State Council on Developmental Disabilities has long been interested in Crimes against people with disabilities. They have had continuous representation on the Think Tank on Crimes against Individuals with Developmental Disabilities, and co-authored the August 2003 report, *Abuse and Neglect of Adults with Developmental Disabilities: A Public Health Priority for the State of California*, with Protection and Advocacy, Inc., USC University Affiliated Program, and The Tarjan Center for Developmental Disabilities, UCLA. This bill would create systemic improvements that would set the stage for better service delivery, protections, planning and future positive accomplishments.

Discuss if legislation is necessary to solve the problem or could the problem be resolved by other means such as administrative or regulatory action? What are other alternatives?

- This legislation is necessary to address the problem because it closes loopholes on background checks, encourages cross referencing between relevant agencies and educates those agencies in the practical and professional provision of support and service to individuals who have been traditionally victimized.

If possible, provide examples of how this bill would help or harm the objectives of the developmental disabilities service delivery system, or the lives of persons with developmental disabilities.

- This bill will serve to prevent, investigate, and prosecute crimes against people with disabilities, elders, and homeless people. It is exactly the incremental and steady positive change for which the State Council on Developmental Disabilities was created.

The SCDD supports legislation, policies and initiatives that promote and advance:

- The right of all individuals with developmental disabilities to dignity, privacy, respect, and humane care and to be free from harm or discrimination.

Use supporting facts and statistics to support your analysis (i.e. 200 program clients affected by the bill).

- There are over 200,000 individuals with developmental disabilities currently served by Regional Centers in California. There are far more individuals who are considered to have a developmental disability under the Federal definition of developmental disabilities. Add to those figures the many individuals who are elders and who are homeless, and one can project the importance of this bill on the lives of countless thousands of Californians.

State any inconsistencies, or misinterpretations perceived to exist in the bill.

- None

STAFF CONTACT

Tom Montesonti, Executive Director AB1, 707-463-4700, tom.montesonti@scdd.ca.gov



**CALIFORNIA STATE COUNCIL ON
DEVELOPMENTAL DISABILITIES**

Bill Number: AB 140

Author: Beall

Subject: Dispute Resolutions

Version: Introduced

Sponsor: Association of Regional Center Agencies

Position Recommendation :

☒ Support

☐ Support if amended

☐ Oppose

☐ Oppose unless amended

☐ Watch

Priority Recommendation:

☐ High (Letter, Hearing Testimony, & Advocacy meeting with bill authors, legislative and department staff)

☒ Medium (Letter & Hearing Testimony)

☐ Low (Letter only)

SCDD Policy Priority:

SUMMARY

AB 140 will establish a process for resolving disputes between a regional center and another public agency that provide generic services, such as local education agencies, over services prescribed in the individual family service plan (IFSP) or individual program plan (IPP) of a child under the age of 6.

AB 140 is a reintroduction of AB 1825 (Beall) which the State Council supported in the last legislative session. AB 1825 reached the Governor's desk, but was vetoed due to the 2008-09 budget delay.

EXISTING LAW

Under existing law, regional centers purchase needed services for individuals with developmental disabilities through approved service providers or arrange for their provision through other publicly funded agencies. Regional centers are prohibited from using their funding

to purchase services that are the responsibility of generic agencies.

RECOMMENDATION AND SUPPORTING ARGUMENTS

Support. AB 140 will be effective in streamlining the dispute resolution process and minimizing the delay of service to consumers, who would otherwise have their services interrupted as a result of the dispute.

SUGGESTED AMENDMENTS

None.

ANALYSIS

Currently there is no statutory mechanism for resolving disputes between regional centers and public agencies as to which has the responsibility to pay for a service in a consumer's IFSP or IPP.

AB 140 will implement a set procedure to the dispute resolution process. Specifically AB 140 requires that:

- When a dispute arises, the regional center submits written notification of the failure to provide the services to the generic agency and request a dispute resolution.
- Upon notification, the generic agency and regional center have 15 calendar days to meet to resolve the dispute (unless extended up to an additional 15 calendar days) to meet and resolve that dispute and then 10 calendar days to notify the parent, legal guardian or authorized representative of the result.
- If the dispute cannot be resolved within 10 calendar days of the meeting, the matter is to be submitted to the Office of Administrative Hearing (OAH) within 30 calendar days of the meeting. OAH then has 30 calendar days to issue its decision, which must specify the, type, frequency, and duration of the services to be provided and which agency is responsible.
- Arrangements for the provision of an interim services or services may be made by written agreement between the two agencies while the dispute is being resolved. If the agency that has been providing the services in the interim is found not be the responsible agency, then that agency is entitled a reimbursement from the responsible agency.
- The Department of Developmental Services pay for the services of OAH.

AB 140 does not affect a consumer's right to use the fair hearing process or pursue relief through the courts. AB 140 does not apply when a consumer requested mediation or a due process hearing and the regional center and public agency have been joined in the proceeding. Additionally the provisions of AB 140 prohibit the dispute resolution process from being used to

determine eligibility for a service nor do the provisions of the bill modify the mandated responsibilities of a regional center or generic agency.

STAFF CONTACT

September Hargrove, Legislative Specialist, (916) 322-6775, September.hargrove@scdd.ca.gov



**CALIFORNIA STATE COUNCIL ON
DEVELOPMENTAL DISABILITIES**

Bill Number: AB 214

Author: Assemblyman Chesbro

Subject: Durable Medical Equipment

Version: Introduced

Sponsor: Disability Rights California

Position Recommendation :

☒ Support

☐ Support if amended

☐ Oppose

☐ Oppose unless amended

☐ Watch

Priority Recommendation:

☐ High (Letter, Hearing Testimony, & Advocacy meeting with bill authors, legislative and department staff)

☒ Medium (Letter & Hearing Testimony)

☐ Low (Letter only)

SCDD Policy Priority:

SUMMARY

AB 214 requires group health plans and insurers to offer coverage for durable medical equipment (DME). DME includes but is not limited to, manual and motorized wheelchairs, scooters, oxygen equipment, crutches, walkers, electric beds, shower and bath seats, and mechanical patient lifts.

AB 214 is a reintroduction of SB 1198 (Kuehl) which the State Council supported in the last legislative session. SB 1198 reached the Governor's desk, but was vetoed due to 2008-09 budget delay.

EXISTING LAW

Under exiting law, the Knox-Keene Health Care Service Plan Act of 1975 (Knox-Keene Act), provides for the licensure and regulation of health care service plans by the Department of

Managed Health Care and for the regulation of health insurers by the Department of Insurance. Health plans and insurers are required by law to cover various health care services and offer coverage for certain benefits and services.

RECOMMENDATION AND SUPPORTING ARGUMENTS

Support.

SUGGESTED AMENDMENTS

None.

ANALYSIS

It is estimated that approximately 90 percent of private health care service plans impose annual or lifetime caps on DME coverage, sometimes as low as \$2,000 a year, and many exclusively exclude certain medically necessary kinds of equipment. As a result of these caps, 46 percent of adults with disabilities ages 18-64 report that they have been forced to go without medically necessary DME because of cost.¹

According to a survey conducted by the California Health Benefits Review Program (CHBRP), approximately 59.9 percent (10,093,000) enrollees in private group health coverage have a plan or policy that would not be in compliance with AB 214, either because of high enrollee cost-sharing for DME or limits annual DME benefits, or both.²

Beginning January 1, 2010, AB 214 would require that every health plan, except a specialized health care services plan, and insurer, provide coverage for DME and services under the terms and conditions that may be agreed upon between the subscriber and the plan.

Additionally AB 214 would require that:

- The amount of DME benefits to be no less than the annual and lifetime benefit maximum applicable to the basic health care services. If the contract does not include any annual or lifetime benefit maximums applicable to basic health care services, the amount of the benefit for DME and services shall not be subjected to an annual or lifetime maximum benefit level.
- Coverage for DME shall provide for coverage when the equipment, including original and replacement devices.
- Every plan shall have the right to conduct a utilization review to determine medical necessity prior to authorizing these services.

¹ Source: Senate Health Committee Analysis SB 1198

² Ibid.

- Limits the amount of DME co-payments, coinsurance, deductible, and maximum enrollee out-of-pocket cost to the common amounts applied to basic health care services covered by the health plan or health insurer.

STAFF CONTACT

September Hargrove, Legislative Specialist, (916) 322-6775, September.hargrove@scdd.ca.gov



Agenda Item: 9.I.
Date: March 24, 2009
State Council Meeting

Detail Sheet for: Waiver Requests

What is this agenda item about?

California laws and regulations require that the Council and the Area Boards approve waiver requests for the regional center board members who may have an actual or potential conflict of interest when doing their job as board members.

What has the Council done about this so far?

One waiver request will be presented to the Council. It is submitted by the Far Northern Regional Center for Ronda Dever, who is employed by the Rowell Empowerment Center, as a service provider for the Far Northern Regional Center. Area Board 2 has approved this request.

What needs to be decided at this meeting?

Area Board 2 has accepted this by letter which will be provided. The Council can defer, approve, or disapprove the FRNC waiver request.

What is the committee or staff recommendation?

Accept the request on the basis of Area Board 2 action.

Are there attachments?

FNRC and Area Board's letters and relevant documents.



Far Northern Regional Center

Providing services and supports which allow persons with developmental disabilities to live productive and valued lives.

Laura Larson
Executive Director

January 13, 2009

2nd correction

Maria Pena
Dept. Of Developmental Services
1600 Ninth Street
Sacramento, CA 95814

Dear Maria:

FNCC Board member, **Ronda Dever**, has a conflict of interest according to Section 54520, Title 17, California Code of Regulations. Specifically, **Ronda Dever** is employed by the a Rowell Empowerment Center, a service provider of Far Northern Regional Center. **Ms. Dever** is not in a supervisory position.

This matter will be brought before the FNCC Board of Directors on January 30, 2009 and, if necessary, March 27, 2009. At this time, this letter serves as the Request for Waiver as prescribed by Section 54522 of the above referenced regulation. It is requested the waiver be granted for a period of one year beginning February 21, 2009, providing the following conditions are met:

1. **Ms. Dever** shall abstain from voting on all matters relevant to the conflict of interest situation;
2. **Ms. Dever** shall not participate in the preparation, presentation, formulation or approval of reports, plans, policies, analyses, opinions or recommendations regarding the conflict of interest situation when the exercise of judgment is required and the purpose is to influence the decision; and
3. **Ms. Dever** shall not be involved in the negotiation, obligation, or commitment of the regional center to a course of action involving the conflict of interest situation.

The Board Chairperson, with support from remaining Board members, shall be responsible for ensuring that the conditions stated herein are applied and monitored.

www.farnorthernrc.org

- ☐ MAIN OFFICE: P. O. Box 492418 Redding, CA 96049-2418 1900 Churn Creek Rd. Suite 319 Redding, CA 96002-0277 (530) 222-4791 Fax (530) 222-8908
- ☐ BRANCH OFFICE: 1377 East Lassen Ave. Chico, CA 95973-7824 (530) 895-8633 FAX (530) 895-1501
- ☐ BRANCH OFFICE: 170 H Russell Avenue Susanville, CA 96130-4216 (530) 257-5317 FAX (530) 257-5526
- ☐ BRANCH OFFICE: 421 Chestnut Mt. Shasta, CA 96067 (530) 926-6496 FAX (530) 926-6499

Maria Pena
Dept. of Developmental Services
January 13, 2009
Page 2

Please contact me should you have questions concerning this matter. I look forward to your response.

Sincerely,

Laura L. Larson
Executive Director

LL/cp

cc: Area II Board
State Council
FNCC Executive Committee
Ronda Dever

January 7, 2009

Ms. Laura Larson
Executive Director
Far Northern Regional Center
Post Office Box 492418
Redding, California 96049

Dear Laura:

As required, I must notify you of the possible Conflict of Interest I may have with my position as Program Assistant at Rowell Family Empowerment of Northern California (RFENC), and being a Far Northern Regional Center Board member.

My job at RFENC entails the organizing/scheduling of events, workshops, conferences, support groups, putting together flyers/brochures, and various other clerical/office duties.

I am not in a supervisory role, nor do I make any budgetary/fiscal decisions. Administrative/fiscal decisions are made by Kat Lowrance, Executive Director, as well as Rowell Family Empowerment's Board of Directors. My job is that of "support personnel."

I hope that this circumstance will not pose a "Conflict of Interest," as I truly enjoy being a member of the Board, representing the interests of families with young children with developmental disabilities.

I look forward to hearing from you. Please do not hesitate to contact me at one of the numbers below should you need further information or clarification.

Sincerely,



Ronda D. Dever,
Board Member
Home (530) 872-7739
Cell (530) 521-5729
rdever@northvalley.net



Agenda Item: 9.J.
Date: March 24, 2009
Meeting: March Council

Detail Sheet for:
Area Board Council Representative Reports

What is this agenda item about?

Area Board Council Representative Reports that are submitted every two months to summarize some of the activities of the Area Boards as they relate to highlights, advocacy, community participation and the local concerns.

What has the Council done about this so far?

The Council initially requested a standard reporting format for the Area Board Council Representatives to use for ease in understanding and to provide a window of activities going on in the local areas.

What needs to be decided at this meeting?

Informational item, no decisions necessary.

What is the committee or staff recommendation?

Read, review, enjoy and ask questions if necessary. Share with your Area Boards.

Are there attachments?

Yes, the Area Board reports.

SCDD COUNCIL MEMBER REPORT

Name: Patty O'Brien, Area Board 1

Reporting Date: Jan/Feb 2009

Please provide a paragraph about the following topics as they relate to the people you represent; if there has been no activity for the past two months, leave the space blank. The following topics are suggested. Please report on activities as they relate to the State Plan.

1. Highlights (activities that have had a positive affect on your community or individual):

Advocacy activities that have individual as well as systemic implications include the following:

- **HO 1.2** the Area Board, in collaboration with Redwood Coast Regional Center Affordable Housing Committee, local service providers and Humboldt State University will be conducting a system wide survey of nearly 3,000 clients to gather baseline data regarding current housing status and to examine unmet needs. The data collected will provide statistical information which will be critical to the implementation of SB 1175 and future housing planning for the Redwood Coast service area.
- **ED 2.3/EM 1.1/EM 1.6** the Mendocino Interagency Transition Team is currently focusing on client employment. DJ Mark Anthony, Area Board I mini-grant recipient and a representative from ABC Opportunities Unlimited, spoke about self-employment options for clients. Planning for the spring transition panel (May 21, 2009) has begun.
- **HE 3.4** Met with key County representatives to lay the groundwork for future countywide training re: Fetal Alcohol Spectrum Disorders- prevention, diagnosis, associated secondary disabilities, diagnostic information, interventions and best practices.
- **CS 1.3** Area Board I is involved in a partnership project that is developing a local fully integrated Art cooperative in which all individuals with and without disabilities will be included in both learning, creating and selling art in Ukiah. Presentations are being made to local People First, and Regional Center is currently reviewing vendorization.
- **CS 1.3** the final 2008 David A. Isom Excellence in Service Award for was presented to two Fort Bragg residents recognizing their work with clients. Nominations are solicited from clients and family members. The nominees are presented to local People First chapters, parent groups and/or other appropriate groups and the recipient is chosen by the clients and family members in each county.

- **QA 1.7** in conjunction with Making Headway Center for Brain Injury Recovery, Redwood Coast Regional Center, Mendocino College and the County Health and Human Services Agency, Area Board One is gathering information on how best to advance local supports, and expand resources into Mendocino County.

2. Advocacy (activities that advocate for Systems Change or an individual):

- Client /family advocacy (Amanda-Amy, Zack A., Nicole L., Ricky L., Christopher R., Harlan R. Molly S., Ashley W., Nathan Y.).
- **QA 1.6** Staff has developed a survey tool re: addiction programs for Lake County and convened a workgroup to discuss survey results and possible program development based on the collected information.
- **QA 1.8** Area Board staff participated as a member of the Quality Assurance Review Team.

The above work mostly focuses on Systems Change, but local individual advocacy cases arise that fit these categories as well.

3. Outreach/Community Event Participation (involvement in activities/events to outreach to the community):

- **EM 1.1** Participated in the local Ticket to Work partnership teleconference.

4. Local Issues/Concerns to bring to the Council's attention:

The negative impact that the state and our agency budget situation will have on service to our clients.

5. Other Staff Activities:

- Participation on SCDD Budget Workgroup.
- Met with the Alliance of Service Providers.
- Attended Quarterly RCRC/CCL meeting.
- Participation on SCDD Strategic Planning Workgroup.
- Staff conducted Leg Analysis of SB 110.
- Met with new Regional Center Staff as part of their new employee orientation process.

SCDD COUNCIL MEMBER REPORT

Name: Area Board 2

Reporting Date: Jan/Feb 2009

Please provide a paragraph about the following topics as they relate to the people you represent; if there has been no activity for the past two months, leave the space blank. The following topics are suggested. Please report on activities as they relate to the State Plan.

1. Highlights (activities that have had a positive effect on your community or individual):

Prepared & mailed 350+ "Group & Events" flyers to community members in our area. Co-Sponsoring March 6th "Legislator Luncheon & Service Provider Expo" in Redding, to unite our communities and increase awareness that we are "Good Neighbors – Good Business".

2. Advocacy (activities that advocate for Systems Change or an individual):

Staff & Board members continue providing advocacy/info to families & consumers w/service or systemic problems.

Staff facilitated quarterly "Healthy Relationships, Sexuality and the Prevention of Abuse Advisory Committee" & "Drug and Alcohol Task Force". Began weekly meetings with 3 self-advocates volunteering to become peer-trainers on D&A abuse prevention. They also want to talk to parents, staff and D&A counselors and presented to Butte College class for D&A counselors.

LQA Project is on target for 3rd quarter. Consumer participation at approx. 70%. Advocacy addressed through follow-up issues identified through LQA process, including; special education assistance, Personal Care Protocol referral, assistance in completion of 2008 taxes, housing resources, continued I.E.P. assistance for minor, medical needs, mental health barriers to conducting interview.

During 3rd quarter, LQA project team has been changing, adding some, losing some; challenge is to remain on-track for goals to contract. Developed survey for visitors, to ascertain their view point considering LQA process and value.

3. Outreach/Community Event Participation (involvement in activities/events to outreach to the community):

- Staff attending Coordinating Councils in Butte, Tehama, Shasta; WTC Advisory Committee; FNRC Board; CSU-Chico Special Ed. Advisory Committee (AC), Service Provider AC, IHSS AC, Head Injury Coalition and Up-State Caucus meetings.

- Met with Chico High teachers about “Healthy Relationships and Abuse Prevention” and offered training after a sexual assault at school.
- Staff tabled at a multi-agency Transition Faire coordinated by BCOE.
- Staff working w/Shasta County Coordinating Council (SCCC) and Shasta County parents to educate parents in learning effective advocacy skills. Collaborating on March 19 Community Education Forum in Redding, where Andy Holcolme, Clients’ Rights Advocate and attorney, from Disability Rights of California will speak. Continuing concerns about I.E.P.s and parent information/education.
- Staff continues with SCCC to educate parents on the existing I.E.P. training programs for parents offered through Rowell Family Empowerment of Northern California. SCCC members participated in the I.E.P. training to gain information/education and provide awareness to Rowell and Shasta County parents.

4. Local Issues/Concerns to bring to the Council’s attention:

“Emergency Preparedness” interagency cooperation & consumer education, continues to be a key issue with events scheduled for parents, consumers and service providers including DDS “Feeling Safe, Being Safe” and an original play by “Theater in the Now” and Family Empowerment Center tele-conference training.

Budget concerns find staff collaborating to assure services continue with least negative impact on consumer and families.

Area 2 Board members interviewing candidates for Executive Director; hopefully recommending an appointment to the SCDD after March 5 meeting.

SCDD COUNCIL MEMBER REPORT

Name: Randi Knott, Area Board 3

Reporting Date: Jan/Feb 2009

Please provide a paragraph about the following topics as they relate to the people you represent; if there has been no activity for the past two months, leave the space blank. The following topics are suggested. Please report on activities as they relate to the State Plan.

1. Highlights (activities that have had a positive affect on your community or individual):

- The Area Board in collaboration with the Supported Life Institute is preparing for the October 2009 Supported Life Conference “A meaningful Life ... Are We There Yet” scheduled for October 7-9 in Sacramento, California. This conference draws families and professionals from across the State as well as internationally.

- Further, the Area Board and the Supported Life Institute are working in collaboration with People First of California in presenting the 14th Annual Convention “The True ‘R’ Words: Respect... Responsibility... Realizing Your Dreams” scheduled for June 12, 13, and 14th, 2009 in Sacramento, California. The combined attendance at both events is more than **2,400** individuals.

2. Advocacy (activities that advocate for Systems Change or an individual):

- The Area Board conducted **39** intakes of new families for advocacy services.
- Participated in **52** Individual Education Plan meetings.
- Supported three families at IPP meetings.
- Assisted **two** (2) families in educational mediation, **one** (1) family with a resolution meeting and **one** (1) family with a manifestation determination hearing.

3. Outreach/Community Event Participation (involvement in activities/events to outreach to the community):

The Area Board conducted **four** (4) parent training sessions in collaboration with the local Family Resource Center in which more than **40** families participated.

4. Local Issues/Concerns to bring to the Council’s attention:

The Area Board continues to support the concept of Life Quality Assessments being conducted by Area Board staff and to that end provided the Council with a short paper written in February 2007, which outlined a number of factors as to why the Area Boards and our local communities bring richness to the process that cannot be replicated. We noted at that time that the Boards have trained more than **488** volunteers that speak **12** languages and had conducted more than **17,080** interviews in a single year.

This year we brought to Council management a document entitled “Stories from the Field” in which “Visitors” from across California described their experience and impact in becoming part of the Life Quality Assessment team. A powerful document detailing how the opportunity to visit and talk with members of their community changed our visitors lives. One Visitor wrote:

“The most poignant thing I have learned from the people I meet for an LQA is that regardless of our abilities we all want the same things in life. Our story is the same: we all want to have meaningful relationships, have a job that we earn a decent wage, get respect for the work we do (even if it’s the job of wiping down the tables at Taco Bell), live in a safe environment, and have some fun along the way.”

SCDD COUNCIL MEMBER REPORT

Name: Area Board 4

Reporting Date: Jan/Feb 2009

Please provide a paragraph about the following topics as they relate to the people you represent; if there has been no activity for the past two months, leave the space blank. The following topics are suggested. Please report on activities as they relate to the State Plan.

1. Highlights (activities that have had a positive affect on your community or individual):

- Area Board followed up on SB 1531 by contacting the state agency (POST) charged with developing the DVD on autism mandated by SB 1531 and volunteered to assist, which led to the Area Board chairperson, Max Duley, and a local leader on autism joining the POST team that will meet in San Diego in March to develop the DVD.
- Area Board staff facilitated two meetings, one in January and the other in February 2009, between representatives of four SELPA's, NBRC, and two family resource centers (MATRIX and ParentsCAN) to develop a protocol for conducting joint IEP/IPP meetings for children ages 3 to 6 with autism. A third meeting will occur in March 2009, hopefully, to complete the work and make a recommendation to the Autism Collaborative Team (ACT) and to the executive/fiscal committee for the NBRC/SELPA Collaborative on Autism.
- Area Board staff attended a conference on transition from school to adult life at Mt. Diablo Community College with the Napa County SELPA Director, and the lead staff person for transition with the local family resource center – ParentsCAN. Our team gained valuable information to support our joint effort to further transition goals in Napa County. These goals include formation of a Napa county Transition Task Force; hosting of a second annual Transition Resource Fair in October 2009; and, presentation of a Transition Conference in January 2010.
- Other transition activities the Area Board was active in during this report period include Area Board participation in planning with other community agencies for two transition resource fairs, one which occurred at the Sonoma County Office of Education and was attended by over 250 people in February 2009; and, another in Solano County, which will occur in March 2009. At the Sonoma County Fair, Area Board distributed our agencies brochures as well as 50 copies of Transition to Adult Living Resource Guide and 75 copies of the Autumn 2008 issue of The Special Edge which was devoted to transition. The material was provided to Area Board courtesy of CalSTAT – California Services for Technical Assistance and Training.

- Area 4 Board Member, Maryann Cantone, with support from Area Board facilitator Annie Bruer, gave a presentation on disaster preparedness at Redwood Empire Industries to approximately 50 consumers. Maryann completed the training provided to self advocate leaders in Oakland on disaster preparedness in October 2008. She is planning a presentation to consumers at the Becoming Independent program next month. Maryann reports that she will start doing presentations to smaller groups in future as she thinks that format will be more effective.
- Area Board staff attended the funeral of Donald Roberts, self advocate, advocate, artist, and friend to so many people who loved him.

2. Advocacy (activities that advocate for Systems Change or an individual):

- Area Board continued its participation at the ACT (Autism Community Team) in monthly meetings in both Sonoma and Napa counties and in a tri-annual meeting of all ACT members across three counties in January 2009.

3. Outreach/Community Event Participation (involvement in activities/events to outreach to the community):

- Held a public meeting in late February 2009 of the Area 4 Board which featured an especially informative and well-done presentation on the state budget by SCDD Legislative Specialist, September Hargrove. The meeting also included information presented by Bob Hamilton, Executive Director of NBRC and discussion of the budget shortfall in Purchase of Services facing regional centers this Spring.
- Held a meeting of the Area Board Legislative Committee where a decision was made to hold an abbreviated version of the Board's Legislative Forum during the Legislature's Spring Recess. The event will be called a Budget Forum and will focus on the plan the Department of Developmental Services (DDS) is submitting to the Legislature April 1, 2009 to absorb \$100 million reduction in funding to the regional center system.
- Held a public meeting of the Area Board Autism Committee in January 2009. The focus of the meeting was a review of the extent to which Autism Legislative Package for the 2007-08 Session was successful in addressing the recommendations of the Legislative Blue Ribbon Commission on Autism. The Committee discussed several matters, among them an issue identified in the BRC Report and addressed by SB 1364 which "died" in the Assembly due to lack of funding – that issue is the late identification of children with ASD from underserved minority communities. Committee Chairperson Robert Horon told the Committee about a video developed several years earlier by the FBI (!) on autism awareness. Mr. Horon has given it to Max Duley who will share it with the POST production team as part of his contribution to its work on the new

DVD for peace officers from SB 1531. The Committee also felt that some of the initial work at least that would have been mandated by several of the bills that failed could be accomplished without legislation. The collaborative work on autism services by VMRC and more recently by NBRC hasn't required pilot projects, although if funding had been available, such funded pilots would certainly have helped the process along.

- One Area Board Member, Virginia Barraza, has initiated a one member project with assistance of staff from Area Board and OCRA to outreach to Latino families in Solano County. This effort is just beginning and hopefully there will be news to report in the near future.
- Area Board participated on the Advisory Committee of the Family Resource and Advocacy Committee (FRAC) of the community agency, Becoming Independent. Area Board contributed information and ideas on self advocacy and outreach to transition-aged youth.
- Area Board staff attended a training titled Disabilities Benefits 101 which was conducted under CPDF grant from SCDD. Staff reports the training and the presenters were excellent and that approximately 30 people attended the Napa training.
- Area Board was not the lead agency but was a co-sponsor of a PATH Training in January 2009. One Area Board member and one staff person participated in the PATH Training, which is a person-centered planning tool for coordinating service planning for individuals with developmental disabilities.
- Area Board staff participated in the Sonoma County Predator Awareness Task Force meeting with a sergeant with the Santa Rosa Police Department and learned valuable information on the constraints and opportunities for disseminating information on persons with developmental disabilities can best be done with the local police forces. Information on SB 1531 and the existing POST DVD on developmental disabilities as well as the one to be developed on autism was shared with the group.
- Area Board staff met with attorneys and Director of Client Services from NBRC and attorney from OCRA in quarterly meeting. Discussion occurred on number of subjects, including –
 - a) The responsibility of local education agencies and NBRC on education of individuals ages 18 to 22;
 - b) What services are available to a mother who is developmentally disabled when she goes to Court on a custody case for her children?
 - c) What is the “exceptions policy” for purchase of services at NBRC?
 - d) What is the status of self – directed services?

4. Local Issues/Concerns to bring to the Council's attention:

None.

SCDD COUNCIL MEMBER REPORT

Name: Area Board 5

Reporting Date: Jan/Feb 2009

Please provide a paragraph about the following topics as they relate to the people you represent; if there has been no activity for the past two months, leave the space blank. The following topics are suggested. Please report on activities as they relate to the State Plan.

1. Highlights (activities that have had a positive affect on your community or individual):

- Presented one day training on history and disability rights as part of the leadership training for Spanish speaking parents that Congreso Familiar is holding.
- Area Board 5 completed the Third Party interviews for three (3) homes. Will meet with the QMS staff for the Bay Area Plan to discuss changes to the instrument and develop a new contract for the remaining homes.
- Planning committee for Health Forum for Family Voices California to be held March 10, 2009.
- Presented Disaster Preparedness training for Spanish speaking families with children with disabilities.
- Area Board 5 held its Annual Dinner where 4 exceptional self advocates were recognized for their leadership.
- Presentation on Disability Philosophy and history to law students at Boalt Hall, UC Berkeley.
- Presentations on personal safety awareness in the community to People First groups, through a collaborative arrangement with Kidpower/Teenpower/Fullpower.

2. Advocacy (activities that advocate for Systems Change or an individual):

- Provided advocacy and/or technical assistance for several consumers on a variety of issues including education, early start, housing, etc.

3. Outreach/Community Event Participation (involvement in activities/events to outreach to the community):

- Attended Disability Inaugural Event in Oakland.

- Attended A New Day Conference.
- Attended UCSF Conference for Health Professionals. Had information table.
- Attended Alameda DD Council; Provider Advisory Committee RCEB and GGRC; RCEB Board meeting;; East Bay Legislative Committee, Alameda health Committee, Special Needs Committee, Child Care council, Marin Autism Collaborative, Quality Management Commission, Bay Area.
- Provided input through public testimony and in writing to jurisdictions throughout the Bay Area, on needed updates to the Housing Element to accommodate the housing needs of people with developmental disabilities living on extremely low income, done in collaboration with non-profit housing organizations and by mobilizing consumers and family members.

4. Local Issues/Concerns to bring to the Council's attention:

- We continue to hear of programs which are in danger of closing or that are planning to close because of the impact of rates.
- We're hearing more about gaps in service for people with developmental disabilities, both school-age and adults, who have a secondary diagnosis of a mental health disorder.

SCDD COUNCIL MEMBER REPORT

Name: Area Board 6

Reporting Date: Jan/Feb 2009

Please provide a paragraph about the following topics as they relate to the people you represent; if there has been no activity for the past two months, leave the space blank. The following topics are suggested. Please report on activities as they relate to the State Plan.

1. Highlights (activities that have had a positive affect on your community or individual):

- Our area lost a great self advocate, Donald Roberts. We were able to gather pictures and provide them for his memorial services from his many years working with the Self Advocacy Council VI (6).
- Invited to participate at the **arc-San Joaquin** Stakeholders meeting to improve their services.
- Attended the VMRC consumer services meetings, VMRC board meetings, and CLASP (Coalition of Area Service Providers) meetings.

2. Advocacy (activities that advocate for Systems Change or an individual):

- Planning team meeting in Stockton to review and monitor community residential placement of individual diagnosed with cerebral palsy requiring 24 hour support.
- Supported living surveys in collaboration with Valley Mountain Regional Center. Surveys conducted in Tuolumne, Calaveras and Amador Counties.
- IEP in Turlock for individual with autism and physical disabilities.
- Assist parent in IEP at secondary school in Lodi for individual with autism. (English as a second language).
- Conducted IEP training for parents and professionals in Modesto.
- Planning team meeting: Advocacy for family of an autistic adult child in Lodi.
- IEP at Elementary school in Soulsbyville (Tuolumne Co.) for 5 year-old diagnosed with autism.
- Planning team meeting Modesto for English as a second language mother with two (2) autistic children.
- Assisted a father obtain mental health services in Calaveras County for two (2) children (one diagnosed with developmental disability) adopted through San Joaquin County.
- Provided telephone support to 11 families needing information on Special education procedures.
- Provided telephone support to six (6) individuals needing information re Regional Center services, supports and procedures.
- Provided advocacy assistance to an adult in San Joaquin County regarding his recreational services being cut.
- Assisted an adult with information prior to his informal hearing in San Joaquin County for dial-a-ride appeal and service coordinator change.

3. Outreach/Community Event Participation (involvement in activities/events to outreach to the community):

- The Annual Area Meeting Celebration occurred and a record number of self advocates from all five counties attended the spaghetti feed. They had a picture

booth and music as well as the announcement of the **CHOICES** Institute t-shirt winner.

- Attended and participated in the Self Advocacy Council VI monthly meetings.
- Attended and participated at the California Memorial Project meeting and planning for the 2009 Memorial Day.

4. Local Issues/Concerns to bring to the Council's attention:

- Local concern about the MOU's (and if they still have MOU's) between Mental Health Services and Valley Mountain Regional Center as it pertains to "payer of last resort". Parents feel they are getting the run-a-round from both agencies.

SCDD COUNCIL MEMBER REPORT

Name: Steve Silvius, Area Board 8

Reporting Date: Jan/Feb 2009

Please provide a paragraph about the following topics as they relate to the people you represent; if there has been no activity for the past two months, leave the space blank. The following topics are suggested. Please report on activities as they relate to the State Plan.

1. Highlights (activities that have had a positive affect on your community or individual):

Presentation to Fresno City Police Activity League (PALs) on importance of including children with intellectual and developmental disabilities in their activities.

The Area VIII Board was asked to participate with the PALs program to develop training and provide information on SCDD and area board activities.

2. Advocacy (activities that advocate for Systems Change or an individual):

The Area 8 Board provided Special Education direct advocacy for 22 families at IEP meetings. We also assisted three (3) families with 504 issues.

The area board provided information and referral services for an additional 20 individuals.

3. Outreach/Community Event Participation (involvement in activities/events to outreach to the community):

Mass emails and mailings to community regarding important budget issues that would/will impact families/consumers.

Personal contact with various policy makers in our community regarding state budget issues.

4. Local Issues/Concerns to bring to the Council's attention:

Impact of reducing/cutting IHSS services for our consumers.

SCDD COUNCIL MEMBER REPORT

Name: Area Board 9

Reporting Date: Jan/Feb 2009

Please provide a paragraph about the following topics as they relate to the people you represent; if there has been no activity for the past two months, leave the space blank. The following topics are suggested. Please report on activities as they relate to the State Plan.

1. Highlights (activities that have had a positive affect on your community or individuals):

- Developed, in collaboration with Regional Center, FRC and SELPA in Ventura County a parent orientation to autism services. A similar training is scheduled for April in Santa Barbara County.
- Attended DDS Emergency Preparedness and supported one of our board members to be a certified trainer. Trainings scheduled for April.
- Attended a conference on End of Life and have scheduled an informational day and training day with a local People First Group to present the booklet Thinking Ahead.
- Worked with OCRA and FRC to deliver special education trainings. One session was delivered in Spanish.
- Conducted two intake days in the community to address advocacy concerns.
- Started the Partners in Community training.

2. Advocacy (activities that advocate for Systems Change or an individual)

- Direct advocacy with families on IEP and IPP needs. This included intake, meeting with families, record review, and discussion with professionals, attending meetings and in some situations providing support in due process.
- We have conducted a number of Life Quality Assessments (in addition to those required) in instances where there is a concern about the individual's quality of life. The information has been used to help develop more appropriate services and address the choices of the individual.

- Had meetings with the regional center to express our concern with the significant delay in assessments being completed which impacts the starting of service delivery.
- Working with Family Groups to address problems with special education in local districts.

3. Outreach/community event Participation (involvement in activities/events to outreach to the community)

- Working with the Ventura County SELPA on Inclusion. This has involved developing, distributing and analyzing a survey to families and educational professionals. From this we will be developing training and informational activities.
- AB 9 Board has been working on its Strategic Plan which has involved developing and distributing a survey through Survey Monkey, revising the plan and holding focus groups.
- AB 9 continues to work collaboratively with the Regional Center and community vendors on implementing Person Centered Thinking. This has involved attending planning meetings and a conference held by the Regional Center on End of Life Planning.
- Coordinated with the ITCC to deliver 6 transition fairs with approximately 250 people attending.
- Through LQA four new visitors have been trained.

4. Local Issues/Concerns to bring to the Council's attention:

- Regional Center has begun to implement W & I 4659 (a) 2. Regional Center is requiring families to provide a denial from their insurance before they will consider providing services. This has resulted in significant delays. Also, not considered are co-pays, life time caps and deductibles. This will have a significant impact on families.
- Concern in the community about the impact of the budget cuts on the quality of individual's lives.

SCDD COUNCIL MEMBER REPORT

Name: Marcia Good, Area Board 10

Reporting Date: Jan/Feb 2009

Please provide a paragraph about the following topics as they relate to the people you represent; if there has been no activity for the past two months, leave the space blank. The following topics are suggested. Please report on activities as they relate to the State Plan.

1. Highlights (activities that have had a positive affect on your community or individual):

A great deal of time has been spent during this period on various activities related to the state's budget crisis. We've studied the various organizational proposals for cost savings (DDS, ARCA, ARC, DRC) and developed our own Area Board 10 Proposals which have been widely disseminated (www.areaboard10.org).

We made nine (9) visits to legislators to discuss the needs of our community.

We widely advertised the DDS hearing on Reducing Costs and an additional hearing sponsored by Area Board 10, with a panel of two regional center Executive Directors and attorneys from Disability Rights California.

2. Advocacy (activities that advocate for Systems Change or an individual):

With the facilitation of Area Board 10 staff, the Self-Advocacy Board of L.A. County:

- Disseminated its February newsletter.
- Submitted a letter of congratulations to President Obama to support his disability agenda.
- Began planning for a series of training on regional center services and the next conference in 2010.
- Conducted self-advocacy training for 20 staff of a day program.

We provided individual advocacy assistance to 19 individuals with regional center service disputes and three involving Early Start services. Additionally, we assisted 29 parents with special education disputes. Of our advocacy cases, six involved serving families who are monolingual Spanish.

We continue to be called upon to participate in peer review panels to review requests for ECT. There is currently one individual in our area receiving this treatment.

3. Outreach/Community Event Participation (involvement in activities/events to outreach to the community):

We provided the following training opportunities:

- Training on Self-Directed Services to 35 parents
- Two presentations on regional center services, to 18 mental health professionals and 25 parents of children with Down Syndrome.
- Training on IEP meetings to 48 mental health professionals.

We continue to plan our 2nd Annual Inclusion Conference, in partnership with the seven L.A. regional centers.

We partnered with Eastern Los Angeles Regional Center in an event promoting employment strategies.

We participated in the Advisory Committees of the Tarjan Center and USC UCEDD.

We continue to be involved in transportation advocacy in a variety of ways. We continue to advocate for improvements in the county's paratransit system and actively collaborate on our fledgling efforts to create an alternate consolidated system supported by an array of human service agencies.

4. Local Issues/Concerns to bring to the Council's attention:

Obviously, mitigating the effects of the budget crisis on people with developmental disabilities is our most critical priority.

SCDD COUNCIL MEMBER REPORT

Name: Area Board 11

Reporting Date: Jan/Feb 2009

Please provide a paragraph about the following topics as they relate to the people you represent; if there has been no activity for the past two months, leave the space blank. The following topics are suggested. Please report on activities as they relate to the State Plan.

1. Highlights (activities that have had a positive affect on your community or individual):

AB11 highlights for this reporting period included:

- People First of Orange County's Michael Bailey was awarded the City of Mission Viejo's "Employee of the Year" for his years of work at the Mission Viejo Public Library. Michael accepted the award from the mayor of Mission Viejo and was presented with a declaration commemorating his service from Orange County Supervisor Patricia Bates.

- Three AB11 staff have been nominated for Dayle McIntosh Center for Independent Living's "Apple of Our Eye" awards in community service and special education advocacy.

2. Advocacy (activities that advocate for Systems Change or an individual):

AB11 advocacy activities during this reporting period included:

- Continued support of monthly meetings of People First of Orange County. In February, Keith Bonchek, PFCA's Southern California Outreach Coordinator, was the featured speaker.
- Advocacy and technical assistance, which included attending IEPs, IPPs, and other meetings related to education, regional center eligibility/ services and supports, access to community services, housing, health care, and employment issues, for 85 consumers and family members.

3. Outreach/Community Event Participation (involvement in activities/events to outreach to the community):

AB11 outreach and community events during this reporting period included the following:

- Presentation of a workshop on funding sources for assistive technology at the February 7th Assistive Technology Institute Conference.
- IEP training for 25 parent members of Grupo Arcoiris.
- Outreach for 50 members of the Chinese Parents Association for the Disabled (CAPD).
- Living Options Workshop for 66 parents.
- Presentation on regional center and IHSS basics for 35 members of the Epilepsy Alliance of Orange County.

4. Local Issues/Concerns to bring to the Council's attention:

On March 5th, Regional Center of Orange County's Interim Executive Director announced that RCOC is currently projecting a deficit of \$40-52 million. If they do not receive additional funding from DDS before April 1, 2009, notice will be sent to vendors, consumers, and families, advising them that RCOC will be unable to fund services from May 1 through June 30, 2009.

SCDD COUNCIL MEMBER REPORT

Name: Area Board 12

Reporting Date: Jan/Feb 2009

Please provide a paragraph about the following topics as they relate to the people you represent; if there has been no activity for the past two months, leave the space blank. The following topics are suggested. Please report on activities as they relate to the State Plan.

(Note: Dan Owen, a consumer from the Kern Regional Center Inyo/Mono area, was recently appointed by the Governor to SCDD as Area Board 12's representative. Mr. Owen will be present at future SCDD March meetings.

After 30+ years in western Riverside County Area Board 12 moved from Riverside to San Bernardino County. The new offices feature a spacious meeting room to serve Board meeting needs, four staff offices as well as amply storage and an area for our office technician and office assistant. The new offices are located at 650 E. Hospitality Lane, Suite 280, San Bernardino, CA. 92408. The new phone number is (909) 890-1259. Most office support services have been reestablished with the exception of Internet and e-mail services expected to be operable by mid March, 09.)

1. Highlights (activities that have had a positive affect on your community or individual):

Area Board 12 is now meeting on a regular basis. During the past reporting period AB 12 met in Ontario, CA on December 6, 2008 and more recently on February 20, 2009 at the new Area Board offices in San Bernardino. A number of Board members have either resigned or their terms have expired. The Board thanked and recognized a number of Board members for their many years of contribution to the Board. Those leaving include Jim Collins, Ana Garver, and Joseph Romozi. AB 12 now has a number of openings in the four counties served by Area Board 12 as well as a few Governor's appointments. AB 12 serves a large area including Inyo, Mono, Riverside, and San Bernardino counties.

2. Advocacy (activities that advocate for Systems Change or an individual):

After seven months without an office Area Board 12 has now occupied new office space in San Bernardino with the offices located one-half mile from Inland Regional Center. This move will help improve staff response to the frequent requests received by the Board. Requests for services most often focus on issues relating to special education, regional center services, SSI, Medi-Cal and many other issues. Currently the Executive Director is the only staff member responding to Basic State Grant activities due to the shortage of a key advocacy staff position. The Board received a bit of good news that SCDD will be able to help fill this position in the near future providing AB 12 the ability to be more responsive to contacts from the community seeking advocacy assistance.

During the February Board meeting the issue of promoting more People First Chapters was discussed. The Executive Director has been in contact with key staff at both Inland and Kern Regional Centers and will be working on the development of more chapters.

AB 12 will also be working in conjunction with other Area Boards in the development of ongoing evening workshops with help for consumers and their families in the areas of both regional center and special education rights and services.

3. Outreach/Community Event Participation (involvement in activities/events to outreach to the community):

The Executive Director attended two Inland Regional Center Board meetings. Further, the ED and Dan Owen both attended recent Kern Regional Center Self-Determination training events and a recent Self-Determination Local Advisory meeting. On February 5, 2008 the Executive Director presented at the ARCA conference in San Francisco speaking on the positive outcomes of employment and micro business development achieved through the Kern Regional Center Self-Determination Pilot. On February 19th the ED also attended one of three public meetings held by DDS discussing the ongoing California budget crisis and proposed cuts to Regional Center services.

4. Local Issues/Concerns to bring to the Council's attention:

During public comment at Area Board 12's February 21st meeting Area Board 12 heard testimony that Inland Regional Center has changed Early Start intake policy. It was reported that Inland and other centers are now holding intake meetings for new Early Start clients at the regional center instead of at the clients home as has been the practice for many years. The Board requested that the Executive Director research the current guidelines and contact Inland Regional Center if in fact this new practice violates Federal regulation.

SCDD COUNCIL MEMBER REPORT

Name: Area Board 13

Reporting Date: Jan/Feb 2009

Please provide a paragraph about the following topics as they relate to the people you represent; if there has been no activity for the past two months, leave the space blank. The following topics are suggested. Please report on activities as they relate to the State Plan.

1. Highlights (activities that have had a positive affect on your community or individual):

- Planning and implementation of a teen self advocacy group has continued as a collaborative project with the Center for Emerging Leaders and SDPF. Meetings with local high school students continue on a biweekly basis.

- Assisted San Diego People First in the coordination of their annual officer retreat.
- Assist SDPF and IVPF in the planning of their annual conferences. This year's SDPF conference will feature a new concept. A boutique for self advocates who are artists and crafters to sell their items.
- Staff provided disability awareness/sensitivity training to five 2nd year pediatric medical residents.
- Staff co-facilitated for SDPF Business meeting with 28 people in attendance.
- Staff co-facilitated a meeting for the Escondido People First group.

2. Advocacy (activities that advocate for Systems Change or an individual):

- Staff continues to participate on the violence prevention task force in collaboration with San Diego People First, SDRC, San Diego City Schools and other community members. Currently the task force has hired four self advocate consultants and the curriculum development phase is complete and the first training was held on February 20.
- Staff continues to provide facilitation and technical support to four local self advocacy/People First groups and as needed support to sixteen other groups.
- Staff provided facilitation assistance to SDPF as they plan their quarterly Leadership Symposium. The training will focus on safety.
- Staff provided ongoing facilitation to the Region 13 representative to People First of California.
- Provided technical assistance to San Diego People First at their monthly officer and business meetings.
- Technical support was provided to two individuals regarding SDRC services.
- Staff assisted two families as they went through the Mediation process.
- Staff attended the Imperial Valley, Social Services Transportation Advisory Committee meeting.
- Staff gave technical assistance to six (6) parents at six (6) separate IEP meetings.
- Staff met with five (5) parents to prepare for IEP meetings.

- Staff met with a parent to prepare for a SDRC Fair Hearing.
- Staff met with two (2) consumers on separate occasions to discuss self-advocacy issues and employment concerns.
- Assisted a parent who moved son from residential facility to obtain support services at home, and are continuing to work on school issues.

3. Outreach/Community Event Participation (involvement in activities/events to outreach to the community):

- Participate on the project Leaders Advisory committee.
- Staff participates on the Service Inclusion Network sustainability taskforce. The sustainability group coordinated a meeting to be held in March as a follow up to the networking fair.
- Staff participates in the planning meetings for the Involved Exceptional Parents Day Conference and chairs the Facilities subcommittee.
- Staff participates in the planning meetings for the 2009 Challenge Air event scheduled for April 18, 2009.
- Staff presented at the Epilepsy Foundation and the PASS (Parent Advocates Seeking Solutions) groups regarding Area Board 13.
- Staff continues to meet with the Disability Specialist for the City of San Diego to work collaboratively on issues and concerns regarding accessibility and various services.
- Staff continues to work on the Reform Committee for Special Education for the San Diego Unified School District.
- Staff and board members have been meeting with legislators regarding the budget and other issues.
- Staff attended a Transition Training offered by University of San Diego.
- Staff continue to participate on the Legislative Breakfast committee, and will be organizing tours to various sites for interested individuals.
- Staff continues to attend the SDRC meetings, and continue to participate on their Long Range Planning Committee.

- Staff continues to support and participate in our Autism, Special Education and Legislative Committees.

4. Local Issues/Concerns to bring to the Council's attention:

The most critical issue facing our community is the affect the reduction in payment to service providers will have on available services.